

### **EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

The application has been amended as follows:

2. Authorization for this Examiner's amendment was given in a telephone interview with Applicant's Attorney (Mr. Michael S. Ryan, Reg. No. 63,115), on September 27, 2010, to authorize the examiner to amend **claims 71-75**.
3. The application is amended as follows:
4. Amend specification as follows:

#### Abstract

Three camera rigs are connected by wiring to a computer. The computer is also connected to a treatment apparatus. A mechanical couch is provided as part of the treatment apparatus such that under the control of the computer the relative positions of the mechanical couch and the treatment apparatus may be varied. The camera rigs obtain video images of a patient lying on the mechanical couch. The computer processes these images to generate a three-dimensional model of the surface of the patient relative to the treatment apparatus.

5. Please cancel **claim 73**.

6. In claim 71, on line 1, after "A", delete [ non-transitory data carrier], and insert --- computer disc ---.
7. In claim 72, on line 1, after "A", delete [ non-transitory data carrier], and insert --- computer disc ---.
8. In claim 75, on line 1, after "A", delete [ non-transitory], and insert --- A computer ---; on line 2, after "claim" delete [73], and insert --- 71 ---.

### **Drawings**

9. The drawings were received on December 1, 2004. These drawings are accepted by the Examiner.

### **Reasons for Allowance**

10. The following is an Examiner's statement of reasons for allowance.  
The prior art of record fails to teach or suggest, identifying points stored in said queue store; and processing unit operable sequentially processing each of points identified by a queue stored in said queue store, by: adding data to the end of said queue stored in said queue store identifying points which are adjacent to the point identified by data at the head of the queue and for which no calculated transform has been determined;

utilizing said estimated transform stored in said data store for the point identified by data at the head of the queue stored in said queue store to determine a calculated transform for said point to match the portion of said first image identified by said point to said corresponding portion of a said second image received by said receiver; in combination into other features and elements of **claims 1, and 27**; storing for each point in an array of points in said first image an estimated transform received to match a portion of said first image identified by said point corresponding to part of said object to the portion of said second image representative of the same part of said object, and utilizing said estimated transforms to determine said corresponding parts, wherein the initial estimated transforms comprise calculated transforms for matching corresponding points in an earlier pair of image frames, in combination into other features and elements of **claims 49**.

**11. Claims 1-49, 71-72, and 75 (now renumbered as claims 1-52 for issue) are allowed.**

**12.** Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

**Citation of Relevant Prior Art**

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Kreeger et al. (US Patent No. US 7,706,600) discloses **ENHANCED VIRTUAL NAVIGATION AND EXAMINATION**

### **Conclusion**

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mehdi Rashidian whose telephone number is (571) 272-9763. The examiner can normally be reached on Mon-Thurs 9:00 AM to 8:00 PM, ET.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Samir Ahmed can be reached on (571) 272-7413. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Mehdi Rashidian/  
Examiner, Art Unit 2624

September 28, 2010

/Samir A. Ahmed/

Supervisory Patent Examiner, Art Unit 2624